



Department of Permitting Services
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<http://www.montgomerycountymd.gov/permittingservices>



Fence Submittal Guidelines

Submittal Guidelines for Erecting Fences

A building permit is required to install any type of fence in Montgomery County. The current fee for this application is **\$45.10 (\$41.00 + 10% Automation Enhancement Fee of \$4.00 for properties located in DPS zones) OR \$77.00 (\$70.00 + 10% Automation Enhancement Fee of \$7.00 for properties located in MNCPPC zones¹)**. Checks should be made payable to Montgomery County and the application packet must include two (2) copies of a site plan showing where the fence will be located on the property. For information on fences, call zoning information at 311 in Montgomery County or 240-777-0311 outside Montgomery County.

There are no restrictions about the type of fence that can be installed or which side faces either property. There are restrictions, however, for swimming pool enclosures, with very specific requirements that can be found in Chapter 51 of the Montgomery County Code.

If the height of the fence is not over six and one-half feet (6'-6") high, measured from the lowest level of the ground immediately under the fence, it can be located anywhere on the property. However, on a corner lot, a linear distance of fifteen feet (15') from the intersection of the front and side street right-of-way lines, the fence height cannot exceed three feet (3') above curb level.

Replacement of an existing fence **INSTALLED WITH A BUILDING PERMIT** with the same kind of fence in the same location at the same height does not require a building permit. If an existing fence was not installed with a building permit, the replacement fence must have a building permit.

The Department often receives complaints concerning the placement of a fence on a neighbor's property. The fence permit is limited to the applicant's property as indicated on the approved site plan submitted with a building permit application. Any dispute as to whether a fence has extended into a neighbor's property or questions about the location of property lines is a legal matter to be resolved by the property owners.

¹ On November 8, 2005, the County Council approved a special appropriation to the Operating Budget for the Department of Permitting Services for the creation of site plan enforcement inspection and review process. This special appropriation was needed to ensure that the Department of Permitting Services has sufficient resources to conduct reviews and inspections related to building permits for properties in zones that require site plan approval by the MNCPPC.